

DISTRICT COURT OF THE VIRGIN ISLANDS

DIVISION OF ST. CROIX

ELENA MURPHY, as mother and next of
friend of Desiree Irizarry Murphy, a
Minor,

Plaintiffs,

v.

2006-CV-0040

GRACIELA RIVERA; CARIBBEAN
AUTO MART OF ST. CROIX, INC.;
JAMAL MISBEH, d/b/a A One Mini Mart
& Service Station; and LUIS DANIEL
RIVERA,

Defendants.

TO: Lee J. Rohn, Esq.
Douglas L. Capdeville, Esq.
Jomo Meade, Esq.
Maria T. Hodge, Esq.

**ORDER GRANTING PLAINTIFF'S MOTION TO COMPEL DEFENDANT JAMAL
MISBEH TO RESPOND TO DISCOVERY**

THIS MATTER came before the Court upon Plaintiff's Motion to Compel Defendant Jamal Misbeh to Respond to Discovery (Docket No. 120). Defendant Jamal Misbeh (Misbeh) has not filed a response to said Motion. The time for filing a response has expired.

Plaintiff alleges that Misbeh has completely failed to respond to Plaintiff's Interrogatories and Demand for Production of Documents dated September 28, 2007.

Murphy v. Rivera

2006-CV-0040

Order Regarding Plaintiff's Motion to Compel

Page 2

Motion at 1. The record reflects that Misbeh filed responses to said Interrogatories on July 16, 2008, but has yet to respond to the Demand for Production of Documents.

Accordingly, it is now hereby **ORDERED**:

1. Plaintiff's Motion to Compel Defendant Jamal Misbeh to Respond to Discovery (Docket No. 120) is **GRANTED IN PART AND DENIED IN PART**.
2. Plaintiff's Motion to Compel Defendant Jamal Misbeh to Respond to Discovery is **DENIED AS MOOT** with respect to the Interrogatories.
3. Plaintiff's Motion to Compel Defendant Jamal Misbeh to Respond to Discovery is **GRANTED** with respect to the Demand for Production of Documents.
4. Within ten (10) days from the date of entry of this order, said Defendant shall serve upon counsel for Plaintiff responses to Plaintiff's Demand For Production of Documents dated September 28, 2007.

ENTER:

Dated: July 21, 2008

_____/s/
GEORGE W. CANNON, JR.
U.S. MAGISTRATE JUDGE